

BOARD OF ZONING APPEALS

MINUTES

April 16, 2020 Meeting

The City of Knoxville **Board of Zoning Appeals** considered the following petitions for variance of requirements of the Knoxville City Code, Appendix B, Zoning Regulations at their April 16, 2020 meeting at 4:00 pm via the Zoom online meeting format.

This meeting and all communications between the Board members is subject to the provisions of the Tennessee Open Meetings Act, Tenn. Code. Ann. § 9-44-101, et seq.

An audio recording of the full BZA meeting can be accessed via the below link:

Knoxvilletn.gov/BZA Audio Minutes

CALL TO ORDER

Chairman Daniel Odle called the meeting to order at 4:02pm.

ROLL CALL

Board members present were Daniel Odle, David Dupree, Don Horton, Christina Bouler and Grant Rosenberg.

Others in attendance were Peter Ahrens, Building Official; Bryan Berry, Building Official; Adam Kohntopp, Stormwater Engineering; Christina Magrans, City Attorney; Lisa Hatfield, City Attorney and Juliana LeClair, Board Secretary.

MINUTES

Member David Dupree made a motion to approve the March Minutes. It was seconded by member Don Horton. The Board voted 5-0 to **APPROVE**.

SPECIAL MOTION

Member David Dupree made a motion to move 4-C-20-VA to the end of the agenda. It was seconded by member Grant Rosenberg. The Board voted 5-0 to **APPROVE**.

OLD BUSINESS

File: 3-I-20-VA **Parcel ID:** 120HB027
Applicant: Mortgage Investors Group 2nd Council District
Address: 8320 E. Walker Springs Rd.
Zoning: O (Office) Zoning District

Variance Request:

Increase the maximum size of an individual sign in an O zoning district from 24 square feet to 97.22 square feet to replace/upgrade/relocate an existing sign. (Article 13.9.E.2.a.)

As per plan submitted to install a sign on a commercial building in the O (Office) Zoning District.

Applicant Pat Boles was present and spoke to the application.

Applicant representative Josh Ballard was present and spoke to the application.

Member Grant Rosenberg made a motion to approve. It was seconded by member Don Horton. The Board voted 3-2 to **APPROVE**.

NEW BUSINESS

File: 4-A-20-VA **Parcel ID:** 108CB011, 108CB029, 108CB028
Applicant: Land Development Solutions 1st Council District
Address: 617 S. Twenty First St.
Zoning: INST (Institutional) Zoning District

Variance Request:

1) Reduce the minimum required front setback in an INST zone along Twenty Second Street from 20 feet to 2.6 feet. (Article 8.2.C Table 8-2)

2) Reduce the minimum required front setback in an INST zone along White Avenue from 20 feet to 11.9 feet. (Article 8.2.C - Table 8-2)

3) Increase the maximum driveways allowed for lot frontages between 150 feet to 450 feet along Clinch Avenue between Twenty First Street and Twenty Second Street from 2 to 3. (Article 11.7.A.1 Table 11-7)

4) Decrease the minimum distance between a driveway accessing a collector and an intersecting collector street from 100 feet to 25.8 feet. (Article 11.7.B Table 11-8)

As per plan submitted to construct a new chiller plant and oxygen farm in the INST (Institutional Zoning) District, 1st Council District.

Applicant representatives Rusty Baksa and Sarah Peacock were present and spoke to the application.

Member Grant Rosenberg made a motion to approve. It was seconded by member Don Horton. The Board voted 5-0 to **APPROVE**.

File: 4-B-20-VA
Applicant: Chase Wake
Address: 1300 Willmann Ln.

Parcel ID: 134AB044
2nd Council District

Zoning: RN-1 (Single Family Residential Neighborhood) Zoning District

Variance Request:

Reduce the minimum rear setback from 10'-feet to 6'-feet for an existing detached accessory structure being converted into an accessory dwelling unit in an RN-1 zone. (Article 10.3.B.7)

As per plan submitted to convert a detached garage bonus room into a 1 bedroom with bathroom and kitchenette in the RN-1 (Single Family Residential Neighborhood) Zoning District.

Applicant Maira Quillin was present and spoke to the application.

Member Grant Rosenberg made a motion to approve. It was seconded by member Christina Boulter. The Board voted 5-0 to **APPROVE**.

File: 4-F-20-VA
Applicant: Benjamin C. Mullins o/b/o Clifford, LLC. And Keenland Heights, LLC
Address: 7509 Kingston Pike

Parcel ID: 120FA009
2nd Council District

Zoning: C-H-2 (Highway Commercial) Zoning District

Variance Request:

Reduce the minimum lot size in a C-H-2 zone from 10,000 sqft to 4,660 sqft. (Article 5.3.A Table 5-1)

As per plan submitted to subdivide the lot to separate the cell tower site in the C-H-2 (Highway Commercial) Zoning District.

Applicant representatives Benjamin C. Mullins and David Harbin were present and spoke to the application.

Member David Dupree made a motion to approve. It was seconded by member Don Horton. The Board voted 5-0 to **APPROVE**.

File: 4-G-20-VA
Applicant: Mike Wyrosdick
Address: 6423 Deane Hill Dr.

Parcel ID: 121AC01104
2nd Council District

Zoning: C-G-2 (General Commercial) Zoning District

Variance Request:

Reduce the minimum required setback for a detached sign from street right-of-way from 10 feet to 1 foot (Article 13, Section 13.5.A.)

As per plan submitted to build a new sign or remodel an existing sign in the C-G-2 (General Commercial) Zoning District.

Applicant Mike Wyrosdick was present and spoke to the application.

Member Grant Rosenberg made a motion to approve. It was seconded by Chairman Daniel Odle. The Board voted 4-1 to **APPROVE**.

File: 4-I-20-VA
Applicant: Build Knox Construction, LLC.
Address: 1100 Pineola Ln.

Parcel ID: 121OA00503
2nd Council District

Zoning: RN-1 (Single Family Residential Neighborhood) Zoning District

Variance Request:

Reduce the minimum required front setback from +/- 1-0'-feet of the average of blockface, which is 82'-feet, from 72'-feet to 50'-feet for a single-family residence in an RN-1 zone. (Article 4.3.A Table 4-1)

As per plan submitted to construct a single-family dwelling in the RN-1 (Single Family Residential Neighborhood) Zoning District.

Applicant representative Brice Schweitzer was present and spoke to the application.

John King was present and commented on the application.

Chairman Daniel Odle made a motion to approve with revision that the variance request of the setback would be no more and no less than 50 ft. It was seconded by member David Dupree. The Board voted 5-0 to **APPROVE**.

File: 4-J-20-VA
Applicant: Trenton D. Smith
Address: 820 North Third Ave.

Parcel ID: 081MK017
4th Council District

Zoning: RN-2 (Single Family Residential Neighborhood) Zoning District

Variance Request:

1) Decrease the minimum lot size in a RN-2 district from 5,000 square feet to 4,409 square feet for the construction of a single family dwelling (Article 4.3.A. Table 4-1.)

2) Decrease the minimum lot width in a RN-2 district from 50 feet to 49 feet for the construction of a single-family dwelling (Article 4.3.A. Table 4-1.)

As per plan submitted to construct a single-family dwelling in the RN-2 (Single Family Residential Neighborhood) Zoning District.

Applicant Trenton D. Smith was present and spoke to the application.

Bob Whetsel, Amy Boling and Gordon Coker were present and spoke in opposition.

Member Grant Rosenberg made a motion to deny. It was seconded by member Don Horton. The Board voted 3-2 to **DENY**.

File: 4-K-20-VA **Parcel ID:** 121OA00502
Applicant: Julie DuPree dba DuPree Homes 2nd Council District
Address: 1104 Pineola Ln.

Zoning: RN-1 (Single Family Residential Neighborhood) Zoning District

Variance Request:

Reduce the minimum required front setback from +/- 10 feet of the average of blockface, which is 82 feet from 72 feet to 28.1 feet for a single family dwelling in a RN-1 district. (Article 4.3.A Table 4-1)

As per plan submitted to construct a single-family dwelling in the RN-1 (Single Family Residential Neighborhood) Zoning District.

Applicant Julie DuPree was present and spoke to the application.

John King and Raye-Anne Ayo were present and spoke in opposition.

Member Grant Rosenberg made a motion to approve with a revision to a minimum 50 foot setback. It was seconded by member Christina Boulter. The Board voted 5-0 to **APPROVE**.

File: 4-L-20-VA **Parcel ID:** 121OA00501
Applicant: Julie DuPree dba DuPree Homes 2nd Council District
Address: 1108 Pineola Ln.

Zoning: RN-1 (Single Family Residential Neighborhood) Zoning District

Variance Request:

Reduce the minimum required front setback from +/- 10 feet of the average of blockface, which is 82 feet from 72 feet to 26 feet for a single family dwelling in a RN-1 district. (Article 4.3.A Table 4-1)

As per plan submitted to construct a single-family dwelling in the RN-1 (Single Family Residential Neighborhood) Zoning District.

Applicant Julie DuPree was present and spoke to the application.

John King and Raye-Anne Ayo were present and spoke in opposition.

Member David Dupree made a motion to approve as adjusted to a minimum of 50 feet. It was seconded by member Don Horton. The Board voted 5-0 to **APPROVE**.

File: 4-C-20-VA
Applicant: Doug White
Address: 7040 Strawberry Plains Pike

Parcel ID: 084043
4th Council District

Zoning: C-H-2 (Highway Commercial) Zoning District

Variance Request:

Estes Trucking submitted building plans in December 2019 to the City of Knoxville proposing to construct a trucking terminal at 7040 Strawberry Plains Pike. Approximately 6.5 acres of the property that fronts along Strawberry Plains Pike was zoned C-6 under the former City zoning ordinance, while the remaining 30 acres were zoned I-3 (Industrial). The site plan provided by Estes shows the trucking office, dock, shop, and trailers to be constructed and located on the I-3 portion of the property. The C-6 portion of the parcel would provide employee parking along with tractor parking.

A determination was made by Peter Ahrens, City of Knoxville's Plans Review and Inspections Director regarding the interpretation of a permitted use in the former C-6 General Commercial Park Zoning District. One of the permitted uses in the C-6 was to, "Allow automobile, marine craft, and truck sales and service, including the sales and service of any accessories." The interpretation made was truck sales on a C-6 zoned parcel would allow for the parking and display of tractor trucks seeing as the zoning ordinance did not regulate the size or type of trucks in the C-6 District. The applicant is proposing to only park tractor trucks on the C-6

portion of the property. All operations regarding the trucking company would take place in the I-3 zoned portion of the property. C-H-2 (Highway Commercial) Zoning District.

Applicant Doug White was present and spoke to the application.

Applicant representatives Dale Rhoton and Destin LeBlanc were present and spoke to the application.

Member David Dupree made a motion to deny. It was seconded by member Don Horton. The Board voted 5-0 to **DENY**.

ADJOURNMENT

The meeting adjourned at 7:06pm.

OTHER BUSINESS

The next BZA meeting is May 21, 2020.